

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88  
ECF Case

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**This document relates to the following case:**

*City of New York v. Amerada Hess Corp., et al.*  
Case No. 04 Civ. 3417

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**PLAINTIFF CITY OF NEW YORK'S OBJECTIONS TO THE DECLARATIONS  
OF MEENA NAINAN, THOMAS MILTON, AND HENRY THOMASSEN**

**I. OBJECTIONS TO DECLARATION OF MEENA NAINAN**

Plaintiff the City of New York (“the City”) hereby objects to Declaration of Meena Nainan, No. 1:04-CV-3417, Dkt. # 358-3 (S.D.N.Y. July 16, 2009) as follows:

<b>Paragraph Number</b>	<b>City’s Objections</b>
Paragraph 8	<p>(1) The entire paragraph constitutes inadmissible hearsay. Fed. R. Evid. 802.</p> <p>The unidentified declarant’s interpretation is being offered for its truth.</p> <p>(2) What Ms. Nainan was “informed by an unidentified declarant” is irrelevant to her motion. Fed. R. Evid. 401-403.</p> <p>(3) Ms. Nainan lacks personal knowledge regarding the legal effect of the Court’s ruling. Fed. R. Evid. 602.</p>
Paragraph 9	<p>(1) The question of whether one is an officer or director of a company is a legal question. There is no foundation laid establishing Ms. Nainan’s purported legal knowledge. Fed. R. Evid. 602.</p>
Paragraph 10	<p>(1) What Ms. Nainan “understood in 2000” is irrelevant to her Motion. Fed. R. Evid. 401-403.</p>

	(2) Ms. Nainan lacks personal knowledge regarding the legal effect of the Court's ruling. Fed. R. Evid. 602.
Paragraph 11	(1) There is no foundation laid for Ms. Nainan's hardship claim. Fed. R. Evid. 602.

## **II. OBJECTIONS TO DECLARATION OF THOMAS MILTON**

The City hereby objects to Declaration of Thomas Milton, No. 1:04-CV-3417, Dkt. # 358-17 (S.D.N.Y. July 16, 2009) as follows:

<b>Paragraph Number</b>	<b>City's Objections</b>
Paragraph 3	(1) Mr. Milton's purported volunteer activities are completely irrelevant to his motion. Fed. R. Evid. 401-403.
Paragraph 6	(1) Mr. Milton's purported volunteer activities are completely irrelevant to his motion. Fed. R. Evid. 401-403.
Paragraph 10	(1) The entire paragraph constitutes inadmissible hearsay. Fed. R. Evid. 802.  The unidentified declarant's interpretation is being offered for its truth.  (2) What Mr. Milton was "informed by an

	<p>unidentified declarant” is irrelevant to his motion. Fed. R. Evid. 401-403.</p> <p>(3) Mr. Milton lacks personal knowledge regarding the legal effect of the Court’s ruling. Fed. R. Evid. 602.</p>
Paragraph 11	<p>(1) The question of whether one is an officer or director of a company is a legal question. There is no foundation laid establishing Mr. Milton’s purported legal knowledge. Fed. R. Evid. 602.</p>
Paragraph 12	<p>(1) What Mr. Milton “understood in 2007” is irrelevant to his Motion. Fed. R. Evid. 401-403.</p> <p>(2) Mr. Milton lacks personal knowledge regarding the legal effect of the Court’s ruling. Fed. R. Evid. 602.</p>
Paragraph 13	<p>(1) There is no foundation laid for Mr. Milton’s hardship claim. Fed. R. Evid. 602.</p>

### **III. OBJECTIONS TO DECLARATION OF HENRY THOMASSEN**

The City hereby objects to Declaration of Henry Thomassen, No. 1:04-CV-3417, Dkt. # 358-20 (S.D.N.Y. July 16, 2009) as follows:

Paragraph Number	City's Objections
Paragraph 9	<p>(1) The entire paragraph constitutes inadmissible hearsay. Fed. R. Evid. 802.</p> <p>The unidentified declarant's interpretation is being offered for its truth.</p> <p>(2) What Mr. Thomassen was "informed by an unidentified declarant" is irrelevant to his motion. Fed. R. Evid. 401-403.</p> <p>(3) Mr. Thomassen lacks personal knowledge regarding the legal effect of the Court's ruling. Fed. R. Evid. 602.</p>
Paragraph 10	<p>(1) What Mr. Thomassen "understood in 2007" is irrelevant to his Motion. Fed. R. Evid. 401-403.</p> <p>(2) Mr. Thomassen lacks personal knowledge regarding the legal effect of the Court's ruling. Fed. R. Evid. 602.</p>

Dated: San Francisco, California  
July 20, 2009

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